

REMARKS

Reconsideration and allowance are requested. Claims 1 - 17 are pending.

Rejection of Claims 1-4 Under Section 102

The Examiner rejects claims 1-4 under 35 U.S.C. § 102(e) as being anticipated by Rodriguez (U.S. Patent No. 6,118,923) (“Rodriquez”). Applicants respectfully submit that Rodriquez does not teach each limitation of claim 1 and therefore does not anticipate this claim.

Claim 1 recites a method relates to indexing a media collection to create an indexed library. The step of indexing the media collection included analyzing the media collection to determine whether speech recognition data or closed captioning data may be used to index the media collection. This aspect of the indexing step is not taught by Rodriquez.

The Examiner asserted that this step is taught at col. 3, line 54 – col. 4, line 11 and line 20 – col. 5, line 24. These portions of Rodriquez do not discuss analyzing the media collection to determine whether speech recognition data or closed captioning data may be used to index the media collection. In col. 3, line 59 Rodriquez begins to discuss a closed caption decoder for decoding close captions embedded in vertical blanking intervals. There is no mention in Rodriquez that the closed caption data is used to index the media collection. In fact, right after mentioning the close caption decoder as one embodiment, Rodriquez discusses “another embodiment, [in which a] video embedded decoder 48 is a video indexing protocol decoder for decoding information encoded in vertical blanking intervals in according to a video index protocol.” Thus, in the portion cited by the Examiner, Rodriquez discusses the close caption decoder and video indexing protocol decoder as separate embodiments. He simply fails to teach that close caption data is used to index media information and further he fails to teach a step of analyzing the media collection to determine whether close caption data may be used for indexing. Also, although speech recognition is mentioned, there is no discussion of speech recognition data within the media collection and therefore this limitation

is absent from Rodriquez. Accordingly, Applicant submits that claim 1 is patentable over Rodriquez.

The Examiner also asserted that claim 2 has the same structural elements as claim 1 and therefore is also taught by Rodriquez. However, claim 2 requires the additional step of indexing the media collection to create the indexed library based on the content including extracting one of closed captioning data and speech recognition data as searchable text data. Further, claim 2 requires that the speech recognition data being extracted when closed captioning data is unavailable. There is no teaching within Rodriquez about closed captioning data and/or speech recognition data being extracted as “searchable” text data. Therefore, claim 2 is patentable over Rodriquez. Furthermore, there is no teaching in Rodriquez that the speech recognition data is extracted when closed captioning data is unavailable. This further relates to the step in claim 1 regarding determining whether speech recognition data or closed captioning data may be used to index the media collection. Therefore, there are several limitations in claim 2 that are not taught by Rodriquez.

Claims 3 and 4 reference forming a browseable image for each segment including keywords identified in the searchable text data. As mentioned above, Applicant submits that Rodriquez does not teach searchable text data therefore he does not teach forming a browseable image including keywords identified in the searchable text data. In contrast, Rodriquez only teaches examining the decoded information for indexing keys such as story lines and story characters. Col. 5, lines 42 – 45. Rodriquez teaches using this indexing key for determining indexing entries in a database until all the frames are examined. Rodriquez does not teach that these index keys within each examined frame constitute searchable text data. Therefore, claims 3 and 4 are patentable as well. Claims 6 depends from claim 2 and therefore is patentable as well.

Rejection of Claims 8 - 13 Under Section 102(b)

The Examiner rejects claims 8 - 13 under 35 U.S.C. § 102(b) as being anticipated by Fasciano (U.S. Patent No. 6,336,093) ("Fasciano"). Applicant respectfully submits that Fasciano fails to teach each limitation of claim 8. Claim 8 recites a method of indexing media for browsing. The method comprises indexing the media collection according to detection of speaker voice characteristics. The Examiner cites col. 6, line 63 – col. 7, line 17 and lines 40 – 53 indicating that the SRM 70 detects sound patterns of speech with a received video and includes capturing and indexing the video according to the voice. Applicant traverses this interpretation and submits that there are several reasons why Fasciano do not teach indexing a media collection according to detection of speaker voice characteristics. From Col. 6, line 63 – to col. 7, line 17, they teach a system where the speech recognition module outputs a binary wave form. The speech recognition module, as is known in the art, receives the speech input and the output comprises text or the words spoken. Fasciano continues to explain what is done with those words – the yare used for editing where the presence of a certain word exists instead of silence. They may be used to divide video into segments as it is processed – due to natural breaks in the script. The presence of a word may also be used to capture video information such as initiating recording. Applicant notes that in none of this analysis does Fasciano detect the speaker voice characteristics. In the Fasciano disclosure, each speaker will speak and the speech recognition module merely produces words. So if ten different people say "hello" the output for each of these utterances will be "hello." There is no information about the characteristics of a speaker voice but merely words that are recognized and then used. Therefore, Fasciano does not teach detection of speaker voice characteristics. Furthermore, they do not teach indexing a media collection. As mentioned above, Fasciano teaches such things as dividing video into segments or editing using breaks or identified words but none of these constitute indexing a media collection.

Similarly, the disclosure in col. 7, lines 40 – 53 do not teach indexing a media collection according to the detection of speaker voice characteristics. First, this portion teaches about selected words or sound patterns for each journalist wherein a video segment of a particular journalist may be sent to the journalist workstation. There is no discussion in this portion of indexing a media collection and the speech component of this does not detect speaker voice characteristics but still only identifies output from a speech recognition and thus looks for words and not speaker voice characteristics.

Therefore, Applicant submits that claim 8 is patentable over Fasciano. Claims 9 – 13 each depend from claim 8 and recite further limitations therefrom. Accordingly, these claims are patentable as well.

Rejection of Claims 5 and 7 Under Section 103

The Examiner rejects claims 5 and 7 under Section 103(a) as being unpatentable over Rodriquez in view of Hoffert et al. (U.S. Patent No. 5,983,176) (“Hoffert”). Applicant submits that inasmuch as Rodriquez fails to teach the limitations of the parent claim 1, that dependent claims 5 and 7 are patentable over the combination of Rodriquez and Hoffert. (Applicant do not acquiesce that it would be obvious to combine Rodriquez with Hoffert but do not feel that such an argument is necessary.)

Rejection of Claims 14-17 Under Section 103

The Examiner rejects claims 14-17 under 35 U.S.C. § 103(a) as being unpatentable over Fasciano, as applied to claim 8 above, and view of Halverson (U.S. Patent No. 6,523,061) (“Halverson”). Applicants submit that since claims 14 – 17 each depend from claim 8, which as has been shown above is patentable, that these claims are patentable as well. Applicant does not acquiesce to the legal combination of Fasciano with Halverson.

CONCLUSION

Having addressed the rejection of all the claims, Applicants respectfully submit that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

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By: /Thomas M. Isaacson/

Correspondence Address:

Samuel H. Dworetsky
AT&T Corp.
Room 2A-207
One AT&T Way
Bedminster, NJ 07921

Thomas M. Isaacson
Attorney for Applicants
Reg. No. 44,166
Phone: 410-414-3056
Fax No.: 410-510-1433